

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JOSEPH KETTERER,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	<b>NO. 12-cv-06578</b>
	:	
<b>CAROLYN W. COLVIN<sup>1</sup>,</b>	:	
<b>Commissioner of the</b>	:	
<b>Social Security Administration,</b>	:	
<b>Defendant.</b>	:	

**ORDER**

AND NOW, this 25<sup>th</sup> day of March, 2014, upon consideration of the administrative record, the brief in support of review filed by Plaintiff (Doc. No. 15), Defendant's response thereto (Doc. No. 17), Plaintiff's reply thereto (Doc. Nos. 20-21), and Defendant's surreply (Doc. No. 22), and after review of the Report and Recommendation of United States Magistrate Linda K. Caracappa to which no objections have been filed,<sup>2</sup> it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED AND ADOPTED;
2. Mr. Ketterer's Request for Review is GRANTED IN PART and DENIED IN PART;
3. The case is remanded to the Commissioner in accordance with sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with Judge Caracappa's Report and Recommendation;

---

<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be the defendant in this suit.

<sup>2</sup> The Local Rules provide that "[a]ny party may object to a magistrate judge's order determining a motion or matter . . . within fourteen (14) days after issuance of the magistrate judge's order . . . ." E.D. Pa. Local R. Civ. P. 72.1(IV)(a). Judge Caracappa issued her Report and Recommendation on March 7, 2014 (Doc. No. 24); objections were therefore due March 21, 2014.

4. The Clerk of Court shall mark this case CLOSED for all purposes, including statistics.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
United States District Judge